

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MISSOURI
KANSAS CITY DIVISION

IN RE:)		
)		
KUECKER EQUIPMENT CO., INC.,)	Case No.	05-49715
)	Chapter 11	
Debtor.)		

CONSENT ORDER ON STAY RELIEF

THIS MATTER comes on the Motion of Tom Garvey for Order Granting Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362(d) filed on November 16, 2005 (the "Stay Relief Motion") and, being fully advised in the premises,

THE COURT FINDS as follows:

1. The Stay Relief Motion (Doc. #38) requests stay relief in favor of Tom Garvey in order to prosecute his appeal of that certain judgment against Debtor issued by the Circuit Court of Cass County, Missouri on or about August 25, 2005 (the "Judgment"). Debtor originally filed its own appeal of the Judgment in the Missouri Court of Appeals and thereafter Garvey filed his appeal.
2. The parties mutually consent to stay relief in order to allow the appeal of each side to proceed in the Missouri Court of Appeals. Good cause exists to grant stay relief pursuant to 11 U.S.C. § 362(d) to allow the prosecution of the foregoing appeals.

THEREFORE, IT IS HEREBY ORDERED that relief from the automatic stay is granted in order to allow both Garvey and Debtor to proceed with the prosecution of their appeals in the Missouri Court of Appeals.

Dated this 14th day of December, 2005

/s/Arthur B. Federman
UNITED STATES BANKRUPTCY JUDGE

SUBMITTED BY:

McDOWELL, RICE, SMITH & BUCHANAN

By: /s/ Jonathan A. Margolies

Jonathan A. Margolies #30770

605 West 47th Street, Suite 350

Kansas City, MO 64112-1905

Telephone: (816) 753-5400

Facsimile: (816) 753-9996

ATTORNEYS FOR DEBTOR

APPROVED BY:

EVANS & MULLINIX, P.A.

By: /s/ Richard C. Wallace

Richard C. Wallace #40899

7225 Renner Road, Suite 200

Shawnee, KS 66217

Telephone: (913) 962-8700

Facsimile: (913) 962-8701

ATTORNEYS FOR TOM GARVEY